Post 8-16-69

# Army Refuses to Release Beret Suspect

SAIGON, Aug. 15 (AP)—The U.S. Army refused today to release one of the eight members of the U.S. Special Forces (Green Berets) charged with murdering a Vietnamese. The refusal was based on "the seriousness of the alleged offense," an official spokesman said.

The civilian attorney for Maj. Thomas C. Middleton Jr. claimed that Army officials in Vietnam and the U.S. Central Intelligence Agency were making his client "a human sacrifice" in a case based on "political issues rather than criminal ones." Attorney George W. Gregory said he would ask the Military Court of Appeals in Washington to free his client pending the completion of an investigation into the case.

Middleton and seven others, including Col. Robert B. Rheault, former commander of the Special Forces in Vietnam, are being held in the Army stockade at Longbinh, 12 miles north of Saigon. The Army is investigating to determine whether they must face a court-martial.

Gregory said the victim on the official charge sheet was named as Chu Yen Thai Khac, but that this was "only a cover name—not a real name." Sources have reported that Khac was killed and dumped into the South China Sea.

Gregory also asserted that "I know and I have evidence to prove that the CIA has ordered the killing and effectuated the killing of over 100 people in South Vietnam in the past year."

[In Washington, a responsible government official said the CIA has "absolutely no authority" to order such an action. "The agency," he said, "has no command authority of any kind."

]House Democratic leader Carl Albert protested the jailing of the Green Berets, UPI reported. In a telegram to Defense Secretary Melvin R. Laird, Albert said he did not believe the circumstances warranted "such harsh treatment" as that dealt out to one of his constituents, Capt. Leland Brumley of Duncan, Okla., and the seven others. Albert asked Laird for a "full and immediate report" on the case.)